

02-25-02

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02/22/02

JC873 U.S. PTO

Please type plus sign inside this box + PTO/SB/05(03/01) Approved for use through 10/31/2002 OMB 0651-0032 +

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 1.53(b))

Attorney Docket No.	H 5369 US
First Inventor	Déverin
Title	Optical Instrument Having A Binocular
Express Mail Label No.	EF380078835US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

ADDRESS TO: Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See CFR 1.27.
3. ☒ Specification [Total Pages / 14 /]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets / 1 /]
5. ☒ Oath or Declaration [Total Pages / 2 /]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. ☐ Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure ☒ Copies of IDS
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. ☒ Other: Checks for \$740.00 & \$40.00

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of the prior application No: /
Prior application information: Examiner: Group/Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label	(Insert Customer No. or Attach bar code label here)	OR <input checked="" type="checkbox"/> Correspondence address below	
NAME		George L. Snyder, Jr.	
		Hodgson Russ LLP	
ADDRESS		One M&T Plaza, Suite 2000	
CITY	Buffalo	STATE	New York
COUNTRY	United States of America	ZIP CODE	14203-2391
	TELEPHONE		FAX
	(716) 856-4000		(716) 849-0349
Name (Print/Type)	George L. Snyder, Jr.	Registration No. (Attorney/Agent)	37,729
Signature		Date	February 22, 2002

"Express Mail" Mailing Label Number EF380078835US

Date of Deposit February 22, 2002

I hereby Certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Barbara Haggerty
Name

Signature

BFLODOCS:662873

FEE TRANSMITTAL
for FY 2002

Patent Fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$780.00)

Application Number

Filing Date

02/22/2002

First Named Inventor

Déverin

Examiner Name

Group/Art Unit

Attorney Docket Number

H 5369 US

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:

Deposit Account Number: 08-2442

Deposit Account Name: Hodgson Russ LLP

The Commissioner is hereby authorized to (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☐ Charge any additional fees during pendency of this application.☐ Charge fees indicated below, except for the filing fee to the above-identified deposit account**FEE CALCULATION (continued)****3. ADDITIONAL FEES****Large Entity****Small Entity**

Fee Code

Fee (\$)

Fee Code

Fee (\$)

Fee Description

Fee Paid

105

130

205

65

Surcharge - late filing fee or oath

\$

127

50

227

25

Surcharge - late provisional filing fee or cover sheet

\$

139

130

139

130

Non-English specification

\$

147

2,520

147

2,520

For filing a request for *ex parte* reexamination

\$

112

920*

112

920*

Requesting Publication of SIR prior to Examiner Action

\$

113

1,840*

113

1,840*

Requesting Publication of SIR after Examiner Action

\$

115

110

215

55

Extension for reply within first month

\$

116

400

216

200

Extension for reply within second month

\$

117

920

217

460

Extension for reply within third month

\$

118

1,440

218

720

Extension for reply within fourth month

\$

128

1,960

228

980

Extension for reply within fifth month

\$

119

320

219

160

Notice of Appeal

\$

120

320

220

160

Filing a brief in support of an appeal

\$

121

280

221

140

Request for oral hearing

\$

138

1,510

138

1,510

Petition to institute a public use proceeding

\$

140

110

240

55

Petition to revive - unavoidable

\$

141

1,280

241

640

Petition to revive - unintentional

\$

142

1,280

242

640

10 advance copies
Utility issue fee (or reissue)

\$

143

460

243

230

Design issue fee

\$

144

620

244

310

Plant issue fee

\$

122

130

122

130

Petitions to the Commissioner

\$

123

50

123

50

Processing fee under 37 CFR 1.17(q)

\$

126

180

126

180

Submission of Information Disclosure Statement

\$

581

40

581

40

Recording each patent assignment per property (times number of properties)

\$40

146

740

246

370

Filing a submission after final rejection(37 CFR 1.129(a))

\$

149

740

249

370

For each add'l invention to be examined(37 CFR1.129(b))

\$

179

740

279

370

Request For Continued Examination (RCE)

\$

169

900

169

900

Request for Expedited Examination of a design appln.

\$

Other fee (specify)

\$

*Reduced by basic filing fee paid

SUBTOTAL (3)

\$40

FEE CALCULATION**1. BASIC FILING FEE****Large Entity Small Entity**

Fee Code Fee (\$)

Fee Code Fee (\$)

Fee Description

Fee Paid

101 240 201 370 Utility filing fee

\$740

106 330 206 165 Design filing fee

\$

107 510 207 255 Plant filing fee

\$

108 740 208 370 Reissue filing fee

\$

114 160 214 80 Provisional filing fee

\$

SUBTOTAL (1)

\$740

2. EXTRA CLAIM FEES FOR UTILITY/ REISSUE

Extra Fee from

Claims below

Total Claims /12/- 20** = /0/ x /18/ =

\$0

Independent Claims /1/- 3** = /0/ x /84/ =

\$0

Multiple dependent / / x / / =

\$

Large Entity Small Entity

Fee Fee Fee Fee

Code (\$)

Code (\$)

Fee Description

103 18 203 9 Claims in excess of 20

102 84 202 42 Independent claims in excess of 3

104 280 204 140 Multiple dependent claim if not paid

109 84 209 42 **Reissue independent claims over original patent

110 18 210 9 **Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

\$0

SIGNATURE:

George L. Snyder, Jr. Reg. No. 37,729

DATE: February 22, 2002 Telephone: (716) 856-4000

Date of Deposit February 22, 2002

Express Mail Mailing Label Number EF380078835US
I hereby Certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Washington, D.C. 20231.

Barbara Haggerty

Name

Signature

February 22, 2002

Date of Signature

BFLODOCS: 662877